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NEW U LIFE CORPORATION

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

T1 PAYMENTS LLC, a Nevada limited
liability company,

Plaintiff,

v.

NEW U LIFE CORPORATION, a California
corporation,

Defendant.

CASE NO.: 2:19-cv-01816-APG-DJA

**JOINT STIPULATION TO EXTEND
TIME FOR NEW U LIFE TO FILE
SECOND AMENDED COUNTERCLAIM
AND FOR COUNTERCLAIM
DEFENDANTS TO FILE RESPONSES
THERE TO**

(First Request)

AND RELATED COUNTERCLAIM

Pursuant to Fed. R. Civ. P. 16(b)(4) and Local Rules IA 6-1, L.R. 26-3, Defendant and Counterclaimant New U Life Corporation (“New U Life”), Plaintiff and Counterclaim-Defendant T1 Payments LLC and Counterclaim-Defendants T1 Payments Limited, TGlobal Services Limited, Donald Kasdon, Amber Fairchild, and Debra King (the “T1 Parties”) and Counterclaim Defendant Payvision B.V. (“Payvision”) (collectively, the “Parties”) jointly request that the Court extend the deadlines established by the Court’s Order of January 21, 2022 (ECF No. 194) as follows:

- That New U Life’s deadline to file a second amended counterclaim (SACC) be extended from February 18, 2022 to April 4, 2022 (*i.e.*, 10 days after the close of jurisdictional discovery);
- That the T1 Parties and Payvision be permitted 30 days to respond to the SACC; and
- That the T1 Parties need not answer or otherwise respond to the first amended counterclaim given that New U Life will file an amended counterclaim (ECF No. 85, FACC).

I. PROCEDURAL BACKGROUND

On January 21, 2022, the Court issued its Order: (1) denying Payvision’s motion to dismiss New U Life’s counterclaims against it for lack of personal jurisdiction and *forum non conveniens*; (2) granting Payvision’s motion to dismiss for failure to state a claim with leave to amend; and (3) granting in part the T1 Parties’ motions to dismiss with leave to amend. ECF No. 194.

The Court further ordered that jurisdictional discovery¹ as to Payvision is open until March 25, 2022, and that within 30 days after jurisdictional discovery closes, Payvision may move to dismiss for lack of personal jurisdiction and *forum non conveniens*. *Id.* at 30. The Court further ordered that New U Life may file a SACC by February 18, 2022. *Id.*

II. GOOD CAUSE EXISTS TO MODIFY THE SCHEDULE

On January 24, 2022, counsel for New U Life informed the Parties that it intends to file a SACC. On a telephonic conference on January 28, 2022, counsel for the T1 Parties and New U Life agreed that the T1 Parties need not answer nor otherwise respond to the FACC, which will be replaced by the SACC. The T1 Parties and New U Life further proposed that the jurisdictional discovery period be completed before New U Life files its SACC in order to promote efficiency for the Parties and the Court. By filing the SACC after the close of jurisdictional discovery, both the T1 Parties’ and Payvision’s responses to the SACC will be due on the same date, and any need for additional motions to amend the counterclaim for the fourth time or to supplement any motions

¹ In an Order dated July 7, 2021, the Court ordered discovery against Payvision stayed. (ECF No. 148). Except for the jurisdictional discovery permitted by its January 21, 2022 Order (ECF No. 194) the Court’s July 7, 2021 Order remains in full force and effect.

1 Dated this 1st day of February, 2022.

Respectfully submitted,

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3 By: /s/ Brianna Dahlberg

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15 *Amber Fairchild, and Debra King*

16 /s/ Peter J. Diedrich

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20 *Attorneys for Payvision B.V.*

21
22 IT IS SO ORDERED:

23 

24 DANIEL J. ALBREGTS

25 UNITED STATES MAGISTRATE JUDGE

26 DATED: February 3, 2022